

## REMARKS

### Amendments to the Claims

Applicants thank the Examiner for an early indication of allowable subject matter. Applicants have amended the claims without prejudice to further presentations in a continuation application along the lines suggested in the Office Action mailed July 5, 2005.

Specifically, independent claim 1 is hereby amended to include the limitation recited in claim 3. Claim 3 is hereby canceled.

Applicants have also amended claim 13, which recites a kit for coloring hair to include the same limitation upon the dye precursor mixture as recited in amended claim 1.

New claim 20 has been introduced, which recites the inclusion of a "nascent oxidizing agent" analogous to claim 5.

Finally, claim 5 has been amended to make clearer its antedecedent basis recited in claim 1 and claim 14 has been amended to correct a typo (ommission of a period).

### *Double Patenting*

In the Office Action, claims 1-2, 4, 7-9, 11, and 14-19 were provisionally rejected over claims in the copending applications: Application No. 10/963,332, Application No. 10/691,391, and Application No. 10/613,792.

Since claims 3 and 5 were not rejected, applicants assume that the currently amended claims, which now incorporate the limitations of claim 3 renders the double patenting rejection moot.

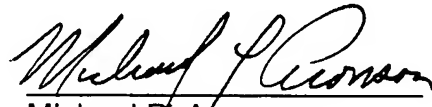
***Claim Rejections – 35 USC § 103***

In the Office Action mailed August 5, 2005, claims 1-2, 4, and 6-19 were rejected as being unpatentable over Sarojini et al (US2003/0154562 A1) in view of Dias (US 6,540,791 B1).

In an effort to advance prosecution of the application and without prejudice, applicants have amended the independent claims 1 and 13 to incorporate the limitation recited in previous dependent claim 3 (now canceled) as suggested in the Office Action. Since this limitation is not taught or disclosed in the prior art, applicants' consider that the 103 rejections over Sarojini et al (US2003/0154562 A1) in view of Dias (US 6,540,791 B1) is now rendered moot.

If a telephone conversation would be of assistance in advancing prosecution of the subject application, applicants' undersigned agent invites the Examiner to telephone him at the number provided.

Respectfully submitted,



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